THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23038 OF 2004

DATED 9th March, 2006

BETWEEN

Smt Ch.Rajeswaramma W/o Mohan

… Petitioner

and

The District Collector, Nellore, Nellore District

And others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.23038 OF 2004

ORDER:

The petitioner is Sarpanch of Mudivarthi Gram Panchayat. Feeling aggrieved by the proceedings of the District Panchayat Officer, dated 28.07.2004, whereby and whereunder the fourth respondent was posted as Bill Collector of Mudivarthi Gram Panchayat, the present writ petition is filed. The petitioner seeks a writ of Mandamus declaring the action of the first respondent in posting the fourth respondent as Bill Collector as illegal and arbitrary. She also seeks a consequential direction to post another Bill Collector in place of fourth respondent.

Though the interlocutory matter is listed, the matter is being heard finally and is being disposed of by this order. The dispute is essentially regarding posting of a public servant, and therefore, by reason of Section 15 of Administrative Tribunals Act, 1985, this Court lacks initial jurisdiction. Any dispute regarding conditions of service has to be necessarily adjudicated initially by the Administrative Tribunal. Be that as it is, the petitioner has other remedies to seek redressal like going to higher officials for appropriate remedy. Indeed, the petitioner has already approached the District Collector and it would be appropriate for the District Collector to consider the same and pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

09.03.2006

pln